

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**UNITED STATES OF AMERICA, :
Plaintiff, : Case No. 2:07-CR-242
vs. : JUDGE ALGENON L.MARBLEY
William Rathburn :
Defendant.**

ORDER

On **September 11, 2008**, the Magistrate Judge issued a *Report and Recommendation* pursuant to 28 U.S.C. § 636(b)(1) urging the Court to accept Defendant **William Rathburn** guilty plea. Defendant, represented by counsel, waived **his** right to appear on the matter before a District Judge. The Magistrate Judge conducted the colloquy required by Federal Rule of Criminal Procedure 11(b). Defendant's plea was knowing, voluntary, free from coercion, and had a basis in fact. Although Defendant was specifically informed of his right to contest the *Report and Recommendation* and the consequences of his failure to do so, he did not object. Accordingly, the Court **ADOPTS** the *Report and Recommendation* and **ACCEPTS** Defendant's plea of guilty to **counts one and three indictment**.

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT COURT

Dated: October 21, 2008